

Testimony in favor of House Bill 445 Presented to the Senate Ag Committee 17 March 2009

Mr. Chairman, and members of the committee: Thank you for the opportunity to speak in support of HB 445. I am a farmer of nearly 3000 acres near Big Sandy. I am a member of both Montana Grain Growers and Montana Farm Bureau but as with other member of these groups, do not support their official opposition to this bill. I have a PhD in plant biochemistry and have been involved with starting a flour mill in Fort Benton and Montana's first Wind Farm near Judith Gap. During the last 20 years I have worked to introduce an ancient grain, grown here in Montana to a worldwide market. For 18 years, I held a variety protection certificate on the variety of grain we now sell under the Kamut trademark. So I am very familiar with many of the issues addressed in this bill.

Let me first make clear to the committee that I do not favor nor support seed piracy. I have had to face that problem myself. This bill does not protect seed pirates but rather makes their prosecution more sure and provides due process and protection for those falsely accused.

This protection is especially important in the investigative process. Farmers have a right to know how and where samples are being taken and have a third party independent government agency present to make sure that samples are taken correctly and analyzed correctly. Some of my friends who oppose this bill say the extra time that may be required to get into suspected fields may give pirates time to destroy all the evidence. That simply is not true and I will tell you why. If a GMO seed has been planted, the entire plant will contain the DNA of that GMO seed so even if the field is harvested or even burned off and cultivated, the roots remaining will tell you if the seed was GMO or not. I submit to the committee a letter from a GMO testing laboratory substantiating this fact. Pirates will be caught and with the increased legitimacy of the investigative process, will be more easily prosecuted while innocent growers will be more protected.

GMO crops have now contaminated most of the major crops where they have been released. A farmer who has contaminated seed should not be liable for that contamination which he had no way to prevent. Again, it is easy to distinguish between contamination levels of up to 10% GMO from pirated seed that will be closer to 100% GMO. There is another way that makes it easy to identify a pirate. He will be the one spraying his field with Roundup.

A third very important provision of this bill is to establish Montana's courts as the venue for Montana disputes. It is easy to see why the opposition opposes this. They know the cost of court cases and if you are forced to travel to St. Louis to defend yourself, then your money and willpower will soon be gone and even if you are innocent you will have to choose between losing your farm to legal expenses and caving into demands foisted upon you.

Opponents to this bill say it will stop research and development of much needed GMO technology. I would have you ask them if their sales of GMO corn or soybeans have decreased in Indiana since a bill similar to this was enacted there several years ago and still remains in effect or has GMO research in or targeted for that state been adversely affected.

Let's be clear about who is the source of concern which has spawn this bill. It is certainly not Western Plant Breeders or Montana State University, both of who are respected plant breeders and part of the resources whose goal it is to supply our state with its best varieties of grain. They have done that for years without dragging innocent growers into court to make examples of them in order to put fear into the rest of the farm community. I know they have faced piracy issues in the past, as I have. In those cases, we have acted similarly by talking, educating and reasoning with those involved and occasionally sending a letter of warning from a local attorney. In most cases, the problem has been solved by these actions. I have great respect for both Western Plant Breeders and MSU and have worked together with them and consulted with them over many years.

Monsanto, on the other hand has quite another agenda. Their goal is to control the seeds and the chemical inputs which are used to grow most of the crops throughout this country and much of the world. Once they have this control, they can set whatever price and make whatever rule they desire. We saw a great example of this tactic last year as the price of Roundup rose as soon as the wheat market went up. They have demonstrated repeatedly their ruthlessness in states where they have been active with their GMO crops. Very good examples of these actions can be found in the stories of those farmers featured in last Sunday's Great Falls Tribune. If I had the resources that they have, I, like them, could have invited this whole committee to steak dinners at the Montana Club and could have flown in a dozen farmers to tell you their stories directly of harassment and intimidation. The problem is we as farmers do not have these kinds of resources and that is why it is so important that you vote for this bill so that those who are innocent may be protected while at the same time providing even more assurance that those who are guilty shall not go unpunished. Thank you for your consideration.

Sincerely
Bill Bunn



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March 16, 2009

Mr. Bob Quinn
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Dear Mr. Quinn,

Thank you for calling today. This is in answer to your question about testing the roots of a wheat plant to see if the plant was genetically modified:

All parts of a plant including the leaves, stem, and root contain the same DNA as the seed that was planted. Therefore, assuming that the roots are not significantly decomposed, it is theoretically possible to test the roots of a plant to determine whether or not the plant came from seed that contains a specified DNA sequence, such as the Roundup Ready trait.

Genetic ID NA is accredited to ISO 17025, the international standard for laboratory accreditation, and has provided GMO testing to customers worldwide since 1996.

If you have further questions, please let us know.

Best regards,

A handwritten signature in cursive script that reads "William F. Thompson".

William Thompson
CEO